

### **DETAILED ACTION**

1. Preliminary amendment filed 6/3/2005 is entered. Claims 3, 5 -6 are amended and new claim 4 is added. Claims 1-6 are pending for examination.

### ***Claim Objections***

2. The claims are objected for the following reasons:

(a) because they include reference characters which are not enclosed within parentheses. Reference characters corresponding to elements recited in the detailed description of the drawings and used in conjunction with the recitation of the same element or group of elements in the claims should be enclosed within parentheses so as to avoid confusion with other numbers or characters which may appear in the claims. See MPEP § 608.01(m).

(b) because claims are not presented per 37 CFR 1.75 and MPEP § 608.01(m). The claim or claims must commence on separate sheet or electronic page (37 CFR 1.52(b)(3)). Where a claim sets forth a plurality of elements or steps, each element or step of the claim should be separated by a line indentation. There may be plural indentations to further segregate subcombinations or related steps. See 37 CFR 1.75 and MPEP § 608.01(i)-(p).

### ***Claim Rejections - 35 USC § 101***

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3.1. Claims 3-4 are rejected under 35 U.S.C. 101 because the claimed inventions are directed to non-statutory subject matter.

Claims 3-4 are dependent on a process claim 1 which recites the steps of initiating a purchase...., displaying virtual data units ... , using the signal forwarding network...to initiate a purchase, and activating the information technology channel.... The dependent claims should also be process claims in order to continue to claim the same statutory subject matter **but** claims 3-4 can be read as a system when one creates a system comprising the keys 12a belonging to the keyboard to be set as a transaction initiator. In order to comply with statutory invention requirements of 35 USC 101 the claimed invention, including the dependent claims, must comply or fall into any one of the statutory categories of an useful process, machine, manufacture, or composition of matter, or any new and useful improvement. Since dependent claims 3-4 are directed to more than one statutory categories they do not satisfy the requirements of 35 USC 101.

#### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The independent claims 1 and 5 are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

Claims 3-4 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 3-4 are dependent on a process claim 1 which recites the steps of initiating a purchase...., displaying virtual data units ... , using the signal forwarding network...to initiate a purchase, and activating the information technology channel..... The dependent claims should also be process claims in order to continue to claim the same statutory subject matter **but** claims 3-4 can be read as a system when one creates a system comprising the keys 12a belonging to the keyboard to be set as a transaction initiator. Therefore, it will be unclear whether the infringement of claim 25 occurs as a process or system.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sharif et al. (US 2002/0078445 A1), hereinafter Sharif in view of Bouffard et al. (US 2002/0136375 A1), hereinafter Bouffard.

With reference to claim 1, Sharif teaches Procedure according to the invention for initiating a transaction command such as navigating, browsing, chatting, etc. through the Internet between an external server and a .user, in the course of which the virtual data units of the external server's data/information are sent to the buyer's communication unit through a signal forwarding network, and at least a part of the virtual data units of the external server are displayed on a display unit, and using the signal forwarding network an information technology command channel needed to initiate a transaction is established between the external server's communication unit and the user's communication unit, and the transaction is initiated by activating the information technology command channel, characterized by that before starting the transaction an internal transaction initiating interface (14) is created deriving from the user's 1 communication unit (10) and only accessible by the user's 1 communication unit (10), the transaction initiating interface (14) is provided with an exclusive address (14a), the exclusive address (14a) of the transaction initiating interface (14) is allocated to the command channel (31), and the transaction is initiated by activating the transaction initiating interface (14.) (see at least paragraphs 6, 26-28, 34-35 and 41-42 and figs 1 through 5f. Sharif discloses a user interface (UI) implementing a web browser to enable connect a user, such as a buyer, to an external server, via Internet, wherein the external server can belong to a seller's server sending virtual data about products to

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be displayed similar to that of a real estate agent communicating with a remote server and receiving/uploading listing information and directions [see paragraph 34] and command keys “102”b in fig.5a can be used to initiate any transaction via Internet).

Sharif does not explicitly teach using a command key to initiate a purchase action .

However, in the same field of endeavor, Bouffard teaches using a command key to initiate a purchase action via Internet (see at least paragraphs 10 and 27, “ *The incoming transaction request 402 may, for example, be the result of an Internet user clicking on a "buy" radio button on a browser screen. The transaction request 402 may include an originating IP address, Java, HTML or XML code or code fragments, a dialog for further information, or other triggering instances, events or information. ....*”). In view of Bouffard, it would be obvious to modify Sharif to include a command key with other command keys imitating a purchase transaction to enable users make purchases when browsing/navigating the Internet.

Regarding claim 2, Sharif teaches that the Procedure as in claim 1, characterized by that the transaction initiating interface 14 is displayed on the display unit 11 of the buyer's 1 communication unit 10, practically in its active image field 11 a allocated to the buyer 1 (see fig. 5a and paragraph 42. The recited transaction initiating interface 14 is displayed on the display unit in fig.5a. The display area is divided for a passive display area 102a for displaying information when an active image field corresponding to commands 102b are initiated by a user/buyer.).

Regarding claim 3, Sharif teaches that Procedure as in claim 1, characterized by that one of the keys 12a belonging to the keyboard 12 of the buyer's 1 communication

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unit 10 is set as a transaction initiator 14 (see at least fig.5a wherein the command keys represented by 102b correspond to the claimed limitation and these command keys initiate a transaction, as already analyzed above in claim 1).

Regarding claim 4, limitations are already covered in the analysis of claim 3 above.

Regarding claim 5-6, their limitations are similar to limitations covered in claims 1-4 above and are analyzed on the same basis. Fig.5 a of Sharif displays the claimed transaction initiating interface in fig 5a wherein the display screen is divided into one or more active fields (102b areas correspond to commands which are active image fields0 and one or more passive image fields 9see 102a) and the passive image field 102a can display the virtual data units received from external server such as that data related to products/services from a seller 's server. The claimed list 13 can be displayed in the display unit 102a.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Wong et al. (US 20050267994A1, see at least paragraphs 11, 71, and 212 and figs 9-11) teaches the field of electronic commerce and initiating a purchase transaction via a command key on the display screen of the interface.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yogesh C. Garg whose telephone number is 571-272-6756. The examiner can normally be reached on Increased Flex/Hoteling.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Smith can be reached on 571-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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